



# House of Representatives

General Assembly

**File No. 324**

January Session, 2001

Substitute House Bill No. 6954

*House of Representatives, April 17, 2001*

The Committee on Environment reported through REP. STRATTON of the 17th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING THE PROTECTION OF CONNECTICUT'S AQUACULTURE INDUSTRY.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-416 of the general statutes is repealed and the  
2 following is substituted in lieu thereof:

3 (a) For the purposes of this chapter "aquaculture" means the  
4 controlled cultivation and harvest in the waters and tidal wetlands of  
5 the state of aquatic animals and plants, including but not limited to,  
6 oysters, clams, mussels and other molluscan shellfish, lobsters and  
7 crabs, fish and commercially important seaweed.

8 (b) Connecticut's aquaculture is an integral part of the  
9 environmental resources of the state and provides an irreplaceable  
10 economic and recreational asset to the state's citizens. It is therefore  
11 declared to be the policy of the state to protect, to the maximum extent  
12 feasible, the state's valuable aquaculture resources.

13       Sec. 2. Subsection (a) of section 16-50p of the general statutes is  
14 repealed and the following is substituted in lieu thereof:

15       (a) In a certification proceeding, the council shall render a decision  
16 upon the record either granting or denying the application as filed, or  
17 granting it upon such terms, conditions, limitations or modifications of  
18 the construction or operation of the facility as the council may deem  
19 appropriate. The council's decision shall be rendered within twelve  
20 months of the filing of an application concerning a facility described in  
21 subdivision (1) or (2) of subsection (a) of section 16-50i or subdivision  
22 (4) of said subsection (a) if the application was incorporated in an  
23 application concerning a facility described in subdivision (1) of said  
24 subsection (a), and within one hundred eighty days of the filing of any  
25 other application concerning a facility described in subdivision (4) of  
26 said subsection (a), and an application concerning a facility described  
27 in subdivision (3), (5) or (6) of said subsection (a), provided such time  
28 periods may be extended by the council by not more than one hundred  
29 eighty days with the consent of the applicant. The council shall file,  
30 with its order, an opinion stating in full its reasons for the decision.  
31 Except as provided in subsection (c) of this section, the council shall  
32 not grant a certificate, either as proposed or as modified by the council,  
33 unless it shall find and determine: (1) A public need for the facility and  
34 the basis of the need; (2) the nature of the probable environmental  
35 impact, including a specification of every significant adverse effect,  
36 whether alone or cumulatively with other effects, on, and conflict with  
37 the policies of the state concerning, the natural environment, ecological  
38 balance, public health and safety, scenic, historic and recreational  
39 values, forests and parks, air and water purity and fish, aquaculture  
40 and wildlife; (3) why the adverse effects or conflicts referred to in  
41 subdivision (2) of this subsection are not sufficient reason to deny the  
42 application; (4) in the case of an electric transmission line, (A) what  
43 part, if any, of the facility shall be located overhead, (B) that the facility  
44 conforms to a long-range plan for expansion of the electric power grid  
45 of the electric systems serving the state and interconnected utility

46 systems and will serve the interests of electric system economy and  
47 reliability, and (C) that the overhead portions of the facility, if any, are  
48 cost effective and the most appropriate alternative based on a life-cycle  
49 cost analysis of the facility and underground alternatives to such  
50 facility, and are consistent with the purposes of this chapter, with such  
51 regulations as the council may adopt pursuant to subsection (a) of  
52 section 16-50t, and with the Federal Power Commission "Guidelines  
53 for the Protection of Natural Historic Scenic and Recreational Values in  
54 the Design and Location of Rights-of-Way and Transmission Facilities"  
55 or any successor guidelines and any other applicable federal  
56 guidelines; (5) in the case of an electric or fuel transmission line, that  
57 the location of the line will not pose an undue hazard to persons or  
58 property along the area traversed by the line.

59       Sec. 3. This act shall take effect from its passage.

**ENV       JOINT FAVORABLE SUBST.**

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** None

**Affected Agencies:** Connecticut Siting Council

**Municipal Impact:** None

**Explanation****State Impact:**

Requiring the Connecticut Siting Council (CSC) to consider whether the siting of energy and telecommunications facilities will conflict with the state's aquaculture policy will result in a minimal workload increase to the CSC, which can be handled within the agency's normal budgetary resources.

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**OLR Bill Analysis**

sHB 6954

***AN ACT CONCERNING THE PROTECTION OF CONNECTICUT'S  
AQUACULTURE INDUSTRY.***

**SUMMARY:**

In this bill, the legislature finds that the state's aquaculture is an integral part of its environmental resources and provides an irreplaceable economic and recreational asset to its citizens. The bill declares that it is state policy to protect the state's aquaculture resources to the maximum extent feasible.

By law, the Connecticut Siting Council must consider the environmental impact of the energy and telecommunications facilities in its jurisdiction in determining whether to approve their construction or modification. The bill specifically requires the council, as part of this process, to determine whether such facilities conflict with state policies regarding aquaculture.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 28      Nay 0